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Martha's Vineyard Commission Land Use Planning Committee

Minutes of the Meeting of Nov. 29, 2004

The Land Use Planning Committee of the Martha's Vineyard Commission met at 5:30 P.M., Monday, November 29, 2004, in the Olde Stone Building, New York Avenue, Oak Bluffs.

Commissioners Present: Christina Brown (LUPC Chairman), James Athearn (MVC Chairman), Ned Orleans, Megan Ottens-Sargent, Richard Toole (present but did not participate), John Best, Bob Schwartz, Linda Sibley (present for final 15 minutes)

MVC Staff: Mark London (Executive Director), Jo-Ann Taylor (DRI Coordinator), William Wilcox (Water Resources Planner), William Veno (Senior Planner) and Srinivas Sattoor (Transportation Planner)

Chairman Christina Brown opened the meeting at 5:34 P.M.

4 CAUSEWAY ROAD - DRI # 574-2, MID-PUBLIC HEARING REVIEW

Present for the Applicant: Moira Fitzgerald, architect; Gerald Sullivan, owner; Bill Sullivan.

Gerald Sullivan presented a signed draft of the "Offers" associated with the project, and there was discussion and clarification of some points. The final "Offers" list is attached here.

It was agreed by consensus that the LUPC recommend that the full Commission approve the project with conditions.

There was discussion of the benefits and detriments of the project, using the MVC worksheet for that purpose. The resultant benefits and detriments matrix is attached here.

There was discussion of possible conditions for the project. The list of possible conditions recommended by LUPC is attached here.

Other items touched on included potential conditions discussed but not recommended by LUPC:

- Condition or offer a path to Veterans Park – concern was raised that this might lead to kids hanging out there, particular with no lights;
- Condition or offer facilitation of a sidewalk – generally considered impractical, particularly in light of town plans for more walkways and paths as alternative;
- Condition that employees must use Park'n'Ride – not clear how enforceable it would be;
- Condition or offer to stagger office hours of employees – generally considered impractical for offices under separate management;

- Condition to consume no more open space than according to plans – generally considered unnecessary because any change would have to come back for modification;
- Condition prohibiting weekly rentals, in perpetuity – not clear whether there is a relation short-term rental and increased traffic impacts;
- Condition on the caliper of tree to replace any trees that died during construction – mixed opinions; left as 2" caliper.

PLANNING PROGRAM

Mark London distributed a draft outline of the proposed comprehensive strategic planning program for the Vineyard. Various options were discussed with respect to resources and funding. It was suggested that we propose extra funding for three years, more limited in the first year (\$120,000) and enough to hire extra staff in the second and third years (\$240,000) , with the cost to be split evenly three ways: from town assessments, from grants and from fund-raising.

The Meeting was adjourned at 7:42 P.M.

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attachments:

Offers

Conditions recommended by LUPC

Benefits vs. Detriments matrix

4 Causeway Road, DRI 574-2

OFFERS

1. All residential units on the property shall be rented on a year 'round basis only, for a period of ten years from the date(s) of the certificate(s) of occupancy.
2. The existing three-bedroom residence (presently used as an office) shall be rented on a year 'round basis at a reasonable rate for a period of ten years from the date of its availability for residence. A reasonable rate shall be defined as no more than \$1,600 in 2004, to be adjusted for inflation (determined by referring to the change in HUD Median Family Income Limits for Dukes County, for a household size of four individuals at 100% of median income). The Applicant shall make every effort to rent the residence to a municipal employee such as a teacher. In the event that the tenant of the existing building elects to remain housed there for office space, the building proposed to house office number ten (10) shall be rented as a two-bedroom residence in a like manner.
3. A Cultural Resource Monitor representing the Wampanoag Tribe of Gay Head Aquinnah will be allowed to monitor the excavation phases of the project, in order to best protect any burial site(s) that may be encountered.
4. In order to soften the visual impacts of the project as seen from the public access to War Veterans Memorial Park, a certified arborist will be consulted regarding excavation and construction in the near vicinity of several large trees at the far rear of the property, in order to maximize their potential for survival. In the event that one or more of these trees does not survive with at least fifty percent (50%) of its pre-excavation canopy after five years, the Applicant shall replant one or more effective replacement trees of at least two-inch (2") caliper. In the event of any significant change in the use or site context of the park (e.g. construction of an access road through, or parking lot in, the park), the Applicant may come before the Commission to request a change in this provision.
5. Trim paint shall be maintained in soft white.
6. Exterior lighting shall be limited to those shown on the lighting plan and shall incorporate down-lighting and motion detectors unless prohibited by law.
7. The abutter to the east will be consulted regarding selection of appropriate arboreal screening between the properties.
8. A stop sign and stop line will be placed at the site driveway. Construction will be performed during the off-season. Users and especially employees of the project will be actively encouraged to use alternate modes of transportation during peak season, particularly the Park'n'Ride and bicycles.
9. All other offers in the documents constituting the Plan, as well as offers in the oral testimony at the public hearing, are part of the Plan.

4 Causeway Road, DRI 574-2

CONDITIONS RECOMMENDED BY LUPC

1. All fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides, including herbicides, fungicides and insecticides, shall be used in the maintenance of landscaping.
2. Haybales, and/or any such erosion and sedimentation controls as may be required by the Tisbury Conservation Commission in an Order of Conditions, shall be utilized during excavation and construction phases, to minimize erosion and sedimentation impacts downslope and to the South of the project site.
3. Landscaping shall be maintained in accordance with the landscaping plan.
4. All offers are accepted and made conditions of the decision.

4 Causeway (DRI No 574-2)			
DRAFT Analysis of Benefits and Detriments			
	BENEFITS	DETRIMENTS	NOTES/MITIGATION
IS ESSENTIAL IN VIEW OF THE ALTERNATIVES (c831, a15a)			
Summary of key findings	An example of Smart Growth as a mixed-use, infill development within the traditional town center.	Development of a partially treed area and resulting additional traffic and wastewater flow.	
ENVIRONMENT (c831, a15b)			
Wastewater and Groundwater		Additional wastewater flow.	Parking area to remain unpaved. Groundwater flow should be toward Vineyard Haven Harbor, rather than toward the more nitrogen-sensitive Lagoon Pond.
Open Space, Natural Community and Habitat	Proposal would preserve approximately half of the property as open space, landscaped with native vegetation, and would preserve most of the trees.	New construction would cover a portion of property resulting in some loss of trees. Parking would cover more than one fifth of the property (much of that parking is existing).	
Night Lighting, Noise		Would add exterior night lighting	Lighting minimized by utilization of down-lighting and motion-sensors in accordance with the lighting plan.
PERSONS AND PROPERTY (c831, a15c)			
Traffic and Transportation	May reduce trips in and out of town, for those residents, workers and clients using the property.	Would further burden Causeway/State and Skiff/State intersections.	Mixed office/residential use might limit some peak hour trips. Offers to place a stop sign and stop line at the site driveway; construction will be performed during the off-season; proximity to town and bus service should reduce the proportion of

			vehicular trips; users of the project will be actively encouraged to use alternate modes of transportation during peak season.
Scenic values		Visual impacts from State Road and from access to War Veterans Memorial Park.	Arboreal screen to be kept intact between project site and access to park and along State Road. Grade difference on State Road side will partially screen parking.
Character and identity	Strives to fit into B-1 village area. Mixed office/residential use would be in keeping with the village identity. Historic District Commission found proposal to fit in well with architecture in the area.	Somewhat larger scale and mass than some of the adjacent residential properties	Proposal refined through review process
Economy	Proposed uses provide commercial office space in B-1 District		
Social and Community			
Impact on abutters	Compared to what could be allowed in the B-1 commercial district, proposal includes relatively less intense uses. Applicant offered to work with immediate abutter to mitigate impact with landscaping.	Removes much open space from abutters' views although some is preserved.	Proposed office use would minimize impacts of night noise, traffic, etc., compared with other commercial uses.

	BENEFITS	DETRIMENTS	NOTES/MITIGATION
SUPPLY OF NEEDED LOW AND MODERATE-INCOME HOUSING (c831, a15d)			
	Indirect benefit by providing a year 'round rental at market rate.	Incremental increase in housing demand by increased employment.	Would add a 3-BR or 2-BR year 'round rental unit at a reasonable rate for 10 years. Proposes to rent any residential units on the property on a year 'round basis for 10 years.
IMPACT ON SERVICES AND BURDEN ON TAXPAYERS (c831, a15e)			
	Office space would generate considerable tax revenue without incurring substantial expenses, such as education, associated with residential uses.		
USE EFFICIENTLY OR UNDULY BURDEN OTHER PUBLIC FACILITIES (c831, a15f)			
CONSISTENCY WITH / AND ABILITY TO ACHIEVE TOWN, REGIONAL, STATE PLANS & OBJECTIVES. (c831, a14b and a15g&h)			
	Furthers the Commonwealth's goal of promoting Smart Growth.		
CONFORMS TO ZONING (c831, a15c)			
	Yes.		
CONFORMS TO DCPC REGULATIONS (c831, a14d)			
	Not within any DCPC's		